

REMARKS

The foregoing amendment amends claims 1, 3, 5 and 6 and adds new claims 7-16. Pending in the application are claims 1-16, of which claims 1 and 11 are independent. The following comments address all stated grounds for rejection and place the presently pending claims, as identified above, in condition for allowance.

Claim Amendments

Applicant amends claim 1 to clarify the meaning of the language recited in the claimed invention. Applicant also amends claims 3, 5 and 6 and adds claims 7-10 to remove multiple dependencies. No new matter is added.

Claim Rejections - 35 U.S.C. §102(a)

Claims 1-6 are rejected under 35 U.S.C. 102(a) as being anticipated by JP 2000-067898. Applicant respectfully traverses the rejection for the following reasons.

Applicant notes that JP 2000-067898 was published on March 03, 2000. Applicant also notes that the Japanese priority application of the pending application was filed on January 28, 2000. Applicant submits a verified English translation of the Japanese priority application to rely upon the earlier filing date of the Japanese priority application. In light of this, Applicant submits that JP 2000-067898 does not qualify as a prior reference to reject the pending claims under 35 U.S.C. 102(a). Applicant respectfully requests the Examiner to reconsider and withdraw the rejection of claims 1-6, and pass the claims to allowance.

New Claims

Applicant adds new claims 11-16 directed to a power generation method in a fuel cell system. New claims 11-16 parallel to a degree claims 1-6, which relate to a fuel cell power generation system. No new matter is added. In light of foregoing arguments, Applicant submits that the new claims are in condition for allowance.

Conclusion

For these reasons, Applicant contends that claims 1-16 are in condition for allowance. Should the Examiner feel that a telephone conference with Applicant's attorney would expedite prosecution of this application, the Examiner is urged to contact the Applicant's attorney at (617) 227-7400.

Applicant believes \$120 is due with this response. However, if a fee is due, please charge our Deposit Account No. 12-0080, under Order No. OCW-002 from which the undersigned is authorized to draw.

Dated: April 4, 2005

Respectfully submitted,

By 

Anthony A. Laurentano

Registration No.: 38,220

LAHIVE & COCKFIELD, LLP

28 State Street

Boston, Massachusetts 02109

(617) 227-7400

(617) 742-4214 (Fax)

Attorney/Agent For Applicant